

Notice of Allowability

Application No.

10/648,116

Examiner

Gregory J. Strimbu

Applicant(s)

FRASER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 10/29/04 and the tele. int. of 11/17/04.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>11/17/04</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Theresa Camoriano on November 17, 2004.

The application has been amended as follows:

In the claims:

The claims have been rewritten as follows:

1. A brake arrangement, comprising:
 - a shutter frame;
 - at least one louver having left and right ends and mounted in said shutter frame for rotation about a pivot axis;
 - at least one louver mounting pin mounted along the pivot axis of the louver and projecting out one of said ends of said louver, wherein said mounting pin rotates with said louver;
 - a receptacle on said shutter frame which receives said projecting louver mounting pin; and
 - a band brake mounted over said pin and inside said receptacle, said band brake selectively applying a radially inwardly directed braking force against said louver

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mounting pin, said band brake having first and second ends, wherein at least one of said first and second ends of said band brake rotates with said mounting pin.

2. A brake arrangement as recited in claim 1, wherein said receptacle defines a stop for stopping the rotation of the at least one of said brake ends so as to increase frictional resistance to rotation of said mounting pin as said mounting pin begins to rotate.

3. A brake arrangement as recited in claim 2, wherein said receptacle further defines a second stop for stopping rotation of the other of said brake ends.

4. A brake arrangement as recited in claim 2, wherein said band brake is a coil spring which compresses radially inwardly against the pin and wherein said first and second brake ends project outwardly.

5. A brake arrangement as recited in claim 3, wherein said second stop for stopping the rotation of the other of said brake ends limits said increase of frictional resistance to rotation between said band brake and said mounting pin.

6. A brake arrangement, comprising:
a shutter frame;
a plurality of louvers pivotably mounted for rotation inside said frame, each of said louvers defining an axis of rotation and being pivotable about its respective axis of

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rotation; and

means for generating progressively increasing resistance to the rotation of said louvers in response to said rotation of said louvers about their respective axes, said means selectively rotating with at least one of said louvers and applying a radially inwardly directed friction force to resist the rotation of the louvers, wherein said force progressively increases in response to the rotation of the louvers.

7. A brake arrangement as recited in claim 6, wherein each of said louvers includes left and right outwardly projecting mounting pins, which define said respective axis of rotation; and wherein said means for generating progressively increasing resistance to said rotation includes at least one band brake mounted on the shutter frame, surrounding a respective one of said mounting pins, and applying a radially inwardly-directed force to resist the rotation of said respective mounting pin.

8. A brake arrangement as recited in claim 7, wherein said band brake has at least one end and said shutter frame defines a receptacle having a stop which stops said one end from rotation with said respective mounting pin as said band brake begins to rotate with its respective mounting pin, causing said increase in said inwardly-directed force.

9. A brake arrangement as recited in claim 6, and further comprising means for limiting said progressive increase in resistance to a set maximum, wherein a user

can still rotate said louvers by overcoming said maximum resistance.

10. A brake arrangement as recited in claim 8, wherein said band brake has a second end, and said receptacle has a second stop, which stops rotation of said second end.

11. A brake arrangement, comprising:

- a shutter frame;
- a plurality of louvers pivotably mounted for rotation inside said frame, each of said louvers defining an axis of rotation and being pivotable about its respective axis of rotation;
- a pin which rotates with at least one of said louvers; and
- means for generating progressively increasing resistance to the rotation of said louvers in response to said rotation of said louvers about their respective axes in both forward and backward directions; said means engaging said pin along an arc of at least 180 degrees.

12. A brake arrangement as recited in claim 11, and further comprising means for limiting said progressive increase in resistance to a set maximum, wherein a user can still rotate said louvers by overcoming said maximum resistance.

Drawings

The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

In figures 1, 2, 4, 6, 8 and 11 include the proper cross sectional shading in accordance with MPEP 608.02 to show the partial sectional view.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: the prior art of record, absent applicant's own disclosure, fails to teach the entire combination of elements set forth in the claimed invention. Specifically, the prior art of record fails to teach a band brake mounted over said pin and inside said receptacle, said band brake selectively applying a radially inwardly directed braking force against said louver mounting pin, said band brake having first and second ends, wherein at least one of said first and second ends of said band brake rotates with said mounting pin. See claim 1, lines 10-13. Additionally, the prior art of record fails to teach means for generating progressively increasing resistance to the rotation of said louvers in response to said rotation of said louvers about their respective axes, said means selectively rotating with at least one of said louvers and applying a radially inwardly directed friction force to resist the rotation of the louvers, wherein said force progressively increases in response to the rotation of the louvers. See claim 6, lines 6-10. Finally, the prior art of record

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fails to teach means for generating progressively increasing resistance to the rotation of said louvers in response to said rotation of said louvers about their respective axes in both forward and backward directions; said means engaging said pin along an arc of at least 180 degrees. See claim 11, lines 7-10.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 703-305-3979. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703-308-2486. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Gregory J. Strimbu", with a long horizontal flourish extending to the right.

Gregory J. Strimbu
Primary Examiner
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November 17, 2004